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**GP960** **MIDWOOD CONTAINER CORP.**  
**NW** **1752 SHORE PARKWAY**  
**> 1** **BROOKLYN, NY 11214**  
**1.275 mi.**  
**6733 ft.** **Site 2 of 2 in cluster GP**

**NY SWF/LF** **S107521369**  
**NY Spills** **N/A**

**Relative:**  
**Higher**

SWF/LF:

**Actual:**  
**8 ft.**

Name: MIDWOOD CONTAINER CORP.  
Address: 1752 SHORE PARKWAY  
City,State,Zip: BROOKLYN, NY 11214  
Flag: INACTIVE  
Region Code: 2  
Phone Number: 5163796363  
Owner Name: Not reported  
Owner Type: Not reported  
Owner Address: Not reported  
Owner Addr2: Not reported  
Owner City,St,Zip: Not reported  
Owner Email: Not reported  
Owner Phone: Not reported  
Contact Name: PHILLIPS TURECAMO; PRESIDENT  
Contact Address: Not reported  
Contact Addr2: Not reported  
Contact City,St,Zip: Not reported  
Contact Email: Not reported  
Contact Phone: Not reported  
Activity Desc: Transfer station - permit  
Activity Number: [24T12]  
Active: No  
East Coordinate: 584700  
North Coordinate: 4493900  
Accuracy Code: Not reported  
Regulatory Status: Not reported  
Waste Type: Not reported  
Authorization #: 2-6106-00025  
Authorization Date: Not reported  
Expiration Date: Not reported  
Operator Name: Not reported  
Operator Type: Not reported  
Last Date: Not reported

**SPILLS:**

Name: 1752 SHORE PKWY  
Address: 1752 SHORE PKWY  
City,State,Zip: BROOKLYN, NY  
Spill Number/Closed Date: 9515470 / 1996-03-01  
Facility ID: 9515470  
Facility Type: ER  
DER Facility ID: 261571  
Site ID: 324723  
DEC Region: 2  
Spill Cause: Human Error  
Spill Class: C4  
SWIS: 2401  
Spill Date: 1996-03-01  
Investigator: KSTANG  
Referred To: Not reported  
Reported to Dept: 1996-03-01  
CID: 205

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Water Affected: Not reported  
Spill Source: Private Dwelling  
Spill Notifier: Responsible Party  
Cleanup Ceased: Not reported  
Cleanup Meets Std: False  
Last Inspection: Not reported  
Recommended Penalty: False  
UST Trust: False  
Remediation Phase: 0  
Date Entered In Computer: 1996-03-01  
Spill Record Last Update: 2009-08-13  
Spiller Name: PETER LEPORE  
Spiller Company: WHALECO FUEL OIL  
Spiller Address: 1 COFFEY STREET  
Spiller Company: 001  
Contact Name: Not reported  
DEC Memo: "Prior to Sept, 2004 data translation this spill Lead\_DEC Field was  
TANG "  
Remarks: "driver dropped hose."

All Materials:

Site ID: 324723  
Operable Unit ID: 1030113  
Operable Unit: 01  
Material ID: 355596  
Material Code: 0001A  
Material Name: #2 fuel oil  
Case No.: Not reported  
Material FA: Petroleum  
Quantity: 2.00  
Units: G  
Recovered: 2.00  
Oxygenate: Not reported

Name: FORMER ATLANTIC BUS COMPANY  
Address: 1752 SHORE PARKWAY  
City,State,Zip: BROOKLYN, NY  
Spill Number/Closed Date: 0813813 / 2009-05-08  
Facility ID: 0813813  
Facility Type: ER  
DER Facility ID: 307085  
Site ID: 411520  
DEC Region: 2  
Spill Cause: Abandoned Drums  
Spill Class: C4

SWIS: 2401  
Spill Date: 2009-03-23  
Investigator: rvketani  
Referred To: Not reported  
Reported to Dept: 2009-03-23  
CID: Not reported  
Water Affected: Not reported  
Spill Source: Commercial/Industrial  
Spill Notifier: DEC  
Cleanup Ceased: Not reported  
Cleanup Meets Std: False  
Last Inspection: Not reported  
Recommended Penalty: False  
UST Trust: False

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Remediation Phase: 0  
Date Entered In Computer: 2009-03-23  
Spill Record Last Update: 2013-01-17  
Spiller Name: Not reported  
Spiller Company: UNKNOWN  
Spiller Address: Not reported  
Spiller Company: 999  
Contact Name: OFFICER NICHOLS  
DEC Memo: "Sangesland spoke to DEC Officer Nichols who was at the site. Former Bus Depot - Looks like the site has been shut down and no one is around. 9 drums filled with waste oil and antifreeze are stacked and leaking onto the ground. The area is a mess. Officer Nichols has spoken to Mr. Wayne Imerman who is the Maintenance Manager for Atlantic Express Transportation Corp. (718-416-1300 ext 206) Mr. Imerman says they hired a company to clean up the site after the bus company left. Apparently the cleanup was not done well. 3/23/09 - Raphael Ketani. The site is 1752 Shore Parkway, Brooklyn. Nine (9) drums were found on site and a few were leaking. The block and lot are 6491 and 207. The owner of the property is Thor Shore Parkway Developers, LLC, 25 West 39th Street, New York, 10018. I spoke to John Gavras (gov-ras) of Langan Engineering (212) 479-5406 (jgavras@langan.com) regarding the drums. I told him that 9 drums of oil were discovered by ECO Nichols at the site in the parking lot. Mr. Gavras said that Langan has been working on cleaning up the site for their client, Thor Equities - which is a subsidiary of Thor Shore Parkway Developers, LLC. He said that he was aware of 9 drums which were against one wall of the building and not in the parking lot per se. He said that they contained used motor oil. I told him that a few of the drums were leaking onto the ground. He said that he will send his crew out there to seal the drums and overpack them. I told him that he will also have to ship them to a place that takes waste oil. I added that the DEC will need a short report with pictures and manifests, and a cover letter describing the situation and how it was remediated. Lastly, I told him that the spill on the ground needs to be properly cleaned, and if it migrated below the surface, then end point samples will need to be taken. He said that this will be done. 3/24/09 - Raphael Ketani. ECO Nichols called me this afternoon. He said that NYC DEP was on site and sampled the drums this morning. He said that he was also on site this morning. The DEP found one of the drums to contain highly flammable liquid. ECO Nichols wanted to know what to do about the situation since, as far as he knows, no one is on site to take care of the drums. I told him that I had spoken to Mr. Gavras of Langan and he had told me that the drums would be taken care of today. I gave ECO the phone number of Mr. Gavras and Atlantic Express Transportation Company, and the address of Thor Shore Parkway Developers, LLC. ECO Nichols said that he will call Langan and Atlantic. I told ECO Nichols that Thor and Atlantic were both responsible for the drums and that, right now, they are in violation of Article 12 of the NAV law, sections 173 and 176, and ECL 71-27-11.3. A little while later, ECO Nichols called and said that he couldn't get ahold of Atlantic or Mr. Gavras. He said that the leaking drums are covered with plastic bags. I told him that was completely unacceptable. I told him that the leaking drums, at the very least, have to be sealed with tight metal covers or overpacked. I told him to try again to get ahold of Mr. Gavras and tell him that this is an emergency and that the leaking drums must be sealed today, or else fines and penalties should be issued. About a half hour later, ECO Nichols told me that he spoke to Mr. Gavras. Mr. Gavras told him that Langan will send a crew out there today to properly

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seal the leaking drums or overpack them. I told ECO Nichols to check the site tomorrow to see that this work has been done. He said that he will do this. ECO Nichols added that he will issue fines, also. Mr. Gavras called back later. He said that all of the drums were removed, except for two. He said that one drum had solid waste and garbage, and the other had a pin hole leak. He said that they put absorbent pads around the drum with the pin hole leak. They will take these two drums away on 3/25/09 when they can get a truck with overpack containers to secure them. 3/27/09 - Raphael Ketani. I tried to contact Mr. Gavras to see whether the two remaining drums were taken away. However, I could only leave a message. I also stated in the message that the DEC needs the manifests for the removal of the drums, pictures of the site, and documentation that the cleanup of the spilled liquids was performed. I stated that we couldn't close the spill case without the documentation. Mr. Gavras called me back. He said that the last two drums were removed at about 12 noon today. He said that he will be sending me the letter report with manifests and pictures. 4/7/09 - Raphael Ketani. I tried to contact Mr. Gavras (212) 479-5406 regarding sending the letter report so that I can close the case, but I could only leave a message. 4/9/09 - Raphael Ketani. Mr. Gavras called. He said that they are waiting for the rest of the manifests to come in. Once they have all of the manifests, then they will send the drum removal report to DEC. They are hiring a company to repair the chain link fence so that the area will be secure. 5/8/09 - Raphael Ketani. I reviewed the Drum Removal and Spill Closure Report dated 4/23/09. The text of the report and the manifests were satisfactory. However, pictures 2, 3, and 6 indicate staining on the ground. I sent messages by phone and e-mail that the contaminated soil needs to be dug up and end points taken. I added that the stained pavement in picture 6 needed to be powerwashed. I wrote Mr. Gavras that the DEC can not close the spill case until these items are taken care of. Mr. Gavras called me back very late at the end of the day. He stated that the stained areas of the drum spill site and the area where the garbage can had leaked into the crack in the pavement were all going to be incorporated into a much larger remediation plan for the entire former bus company site. This plan will involve a spill case that is monitored by Alex Zhirtomirsky of DER Unit B here in Region 2 and Ken Brezner, EE III and head of the Division of Solid Waste in Region 2. The larger spill/remediation case is #0510989. The entire site will be dug up, the tanks will be removed, and the free product will be recovered. The future use of the site is as a B J Wholesale Club and surrounding promenade. As the report indicates that the drums have been removed, and as the drum area will be remediated as part of the remediation of the entire site, and as the entire site will continue to be monitored by Mr. Zhirtomirsky and Mr. Brezner, I am closing this spill case. 5/28/09 - Raphael Ketani. ECO Nichols (646) 542-4313 called me up and spoke to me about the drums involved in this case. He said that he was going to talk to the owners of the site about the drums. I asked him whether the same drums that he had seen back on 3/23/09 were still there. He said No. I asked him which drums he was talking about. He said that they were the original ones which resulted in the spill being called in. I asked then you are not talking about a different location on the larger site with other drums? He said that he wasn't. I made an unannounced site visit to 1752 Shore Parkway. There was one building there with the words Atlantic Bus Co. To the right was 1728 Shore Parkway. I didn't see anything particular at this site, no drums and nothing involving a spill. The former Atlantic Bus Co. site had a gate on either side of the building. Both gates were unlocked.

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The site was completely empty and there were no drums or spills. The site extended very far back towards the water - maybe 800 feet. A door was open at the back of the building, but there were no lights on, nor any cars on the grounds. I took some pictures and left. I let Randall Austin, Chief of the Spills Unit, and Jeff Vought, Supervisor, know that I had found nothing. 7/3/09 - Raphael Ketani. I received the July 2009 Work Plan for the remediation of the entire site. The plan was sent by Langan Engineering. I E-doc'd the work plan. "

Remarks: "CALLER STATES THAT THERE ARE 9 55 GALLON DRUMS SOME OF WHICH ARE LEAKING, FULL OF UNK PETROLEUM. DRUMS ARE IN THE PARKING LOT. CLEAN UP STATUS IS UNK."

All Materials:

Site ID: 411520  
Operable Unit ID: 1167993  
Operable Unit: 01  
Material ID: 2159611  
Material Code: 0066A  
Material Name: unknown petroleum  
Case No.: Not reported  
Material FA: Petroleum  
Quantity: Not reported  
Units: G  
Recovered: Not reported  
Oxygenate: Not reported

Name: SCHOOL BUS STORAGE & REPA  
Address: 1752 SHORE PARKWAY  
City,State,Zip: BROOKLYN, NY  
Spill Number/Closed Date: 0510989 / 2015-08-11  
Facility ID: 0510989  
Facility Type: ER  
DER Facility ID: 307085  
Site ID: 357049  
DEC Region: 2  
Spill Cause: Other  
Spill Class: C4  
SWIS: 2401  
Spill Date: 2005-12-20  
Investigator: VXBREVDO  
Referred To: POSSIBLE BCP SITE  
Reported to Dept: 2005-12-20  
CID: 444  
Water Affected: Not reported  
Spill Source: Institutional, Educational, Gov., Other  
Spill Notifier: Other  
Cleanup Ceased: Not reported  
Cleanup Meets Std: False  
Last Inspection: Not reported  
Recommended Penalty: False  
UST Trust: False  
Remediation Phase: 0  
Date Entered In Computer: 2005-12-20  
Spill Record Last Update: 2015-08-11  
Spiller Name: RICHARD WEAVER  
Spiller Company: SCHOOL BUS STORAGE & REPA  
Spiller Address: 1752 SHORE PARKWAY  
Spiller Company: 001

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Contact Name:  
DEC Memo:

RICHARD WEAVER

"December 23, 2005 A Contaminated Soil Letter was sent to: (Owner Thor Equities 139 5th Ave New York, NY 10110) 02/27/06 Sharif Rahman-Rich Weaver,(484)621-7950 from CONTECK Services called DEC to say they found UST at the site and going to send DEC RWP in two weeks. 03/13/06 Sharif Rahman-Rec'd investigation summary report from CONTECH Services,Inc. Three temporary monitoring wells were installed surrounding the site's active and suspect tank fields besides nine soil borings. Oil sheen and petroleum odor were observed in all three monitoring wells. In soil boring#3, heavy petroleum odor and non-aqueous phase product were observed below 7 feet. Significant non-aqueous sheens were also observed in MW#1, MW#2 & MW#3. VOC's such as Benzene, Propylbenzene, Toluene, Xylene, MTBE, Naphthalene were detected above TAGM values. Case has been transferred to Koon Tang for reassignment. 3/21/06 - reviewed report/WP dated 3/3/06 from ConTech Service, Inc. Very low level of VOCs in GW and no SVOCs. One soil boring has VOCs at 38 ppm, SVOCs level in soil is indicative of fill materials. Two wells show a thin layer of LNAPL of weathered fuel oil or diesel. The site is right next to Bayside Fuel Oil Depot. Consultant has proposed to conduct further delineation of the contamination and submit a final report. - KST 4/5/06 - Rick Weaver of ConTech Services (215-431-0566) called to inquire about how this site can be managed. His client has purchased the property and is considering the BCP. I informed him that his client can come in for a pre-app meeting for the BCP. If the BCP does not work for his client, they can proceed with the remedial investigation and provide DEC with the RI report and I will assign this site to a project manager. - KST 6/12/2006 The spill case was re-assigned to me by JK. AZ 8/01/06 Left a message for Rick Weaver (Con Tech Services 215-431-0566). AZ 8/2/2006 Received a message from Rick Weaver and left a message for him at 484-621-7950. AZ 8/3/06 Called Rick Weaver (ConTech Services Environmental Consultants hired by Thor Developers(215-431-0566, 484-621-7950 - office). They are going to perform an investigation. They are exploring going with the BCP program. They also trying to get a tenant on the site to do the investigation. AZ 9/11/2006 Contacted Rick Weaver (ConTech Services Environmental Consultants). They had a conference call with the owner and their attorney last week. They will go through a brownfield program and will set up an appointment in Albany to discuss the process. AZ 1/31/2007 Contacted Rick Weaver@ 215-431-0566 (ConTech Services Environmental Consultants). He informed me that he is preparing to re-sample the wells to find out the current conditions on the site. The owner is still considering BCP. The owner is Thor Equities (212-529-5055) - William Kelsey. I requested that the owner starts investigation ASAP. AZ 11/07/2007 Contacted Rick Weaver. A report has been prepared but not released yet. I contacted Ben Jennings (212-432-3045 Director of Development - Thor Equities and PM for this project). Langan Engineering did some testing at the site in summer. According to B. Jennings, Udo Drescher and Ken Brezner are involved. No report has been issued. Mike Bogin (Attorney for Thor Equities 212-421-2150) will contact me ASAP with info about the site. I requested submittal of the report ASAP. AZ 11/07/2007 Spoke with Mike Bogin (Attorney for Thor Equities 212-421-2150). This property has numerous issues. They deal with Lou Oliva and Ken Brezner. The site is divided into two parts -western and eastern parts. The petroleum spill was discovered in the eastern part of the site. That part of the site is being operated by a bus company. They are aware that the site requires investigation/remediation. They have data and plans but not the report. I requested that a report should be submitted to DEC. The

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existing old Consent Order covers the western part of the site. John Gavras (Langan Engineering 212-479-5406 their consultants). AZ 2/28/2008 Reviewed Remedial Investigation Report submitted by Langan Engineering on November 30, 2007. Amboy Bus Company leases the site and operates school-bus parking and maintenance facility. The assessment identified two active and numerous inactive or abandoned UST located beneath the site near the maintenance building. ConTech conducted a preliminary environmental Phase Assessment. They installed 3 wells and advanced 9 borings. They identified NAPL in wells along the southern boundary of the site. However, they did not identify any NAPL in wells that were installed closer to the Site's USTs area. In June 2007 Langan conducted a Phase 1 Investigation. Lagan attributes NAPL along the southern property boundary to historic releases at the adjacent Bayside Fuel Oil Corp. In November 2007 Langan received a Letter Report from Con Tech to DEC dated April 2007. The report stated that samples collected from 3 temporary wells. VOCs were detected in MW-2 and MW-3. Also, a product layer of approximately one inch remains on top of groundwater in the southeastern portion of the site. Some conclusions of Langan report dated November 207: Generally groundwater appears to flow in a westerly direction, However there appears to be amounting effect that results in radial flow in the eastern portion of the site. Visual and olfactory evidence of petroleum release were observed near the two active USTs. VOCs and SVOCs were detected in soil. Metals were detected in the soil samples at concentrations exceeded the TAGM RSCOs (mercury ranging from 0.23 ppm to 3.24 ppm and arsenic ranging from 1.13 to 49.8 ppb). Their occurrence is attributed to the historical fill material. Monitoring wells MW-6 and MW-7 located adjacent to the active and inactive USTs respectively, showed elevated concentrations of VOCs (up to 102 ppb). Dieldrin (pesticide)also was detected at concentrations that exceeded the TOGS in MW-6 and MW-7. Langan recommends registration and removal of of the abandoned USTs, removal of the active USTs and the remediation of petroleum impacted soil near the USTs. End point samples will be needed.. Remedial Action Work Plan will be prepared and submitted to the NYSDEC. AZ. DEC's comments: No groundwater flow direction was shown at the groundwater elevation map. Statement that metals and other contaminants No permanent wells were installed at locations were free phase product was encountered by temporary wells. AZ 3-3-2008 Left a message for John Gavras (Langan 212-479-5406).AZ 3-4-2008 Contacted John Gavras (Langan 212-479-5406). Brian Gochenaur is present during our discussion. DEC's comments: No permannent wells were installed at locations of temporary wells. The petroleum plume should be delineated. If no free phase is encountered, geoundwater samples should be analyzed for dissolved contaminants. The site is a built in peninsula. They are working with Ken Brezner in order to address the western part of the site. They need to provide us with the site history. If the consultants claim that the metals and SVOCs contamination are attributed to the background fill material then they should provide us with historical data and actual sampling data. AZ 3-20-2008 Left a message for John Gavras (212-479-5406) (917-968-6779) 4-18-2008 Received a message from John Gavras. Returned phone call @212-479-5406. AZ 2-6-2009 Reviewed report dated November 4, 2009, and submitted by Langan Engineering. The report stated that wells MW-11 and MW-12 contain free product which migrated from Bayside Fuel Property. This finding is supported by fact that no free product was found in wells MW-6 and MW-7 that were installed adjacent to, and downgradient from USTs. I conveyed this info to Leszek Zielinski(DEC) who is handling Bayside Fuel spill. Leszek

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Zielinski sent an e-mail to Vincent Allegretti of Bayside Fuel requesting that Bayside Fuel(1776 Shore Parkway Facility) add monitoring wells MW-11 and MW-12 to their weekly product recovery program. A number of individual metals including mercury and arsenic that are characteristic of historic urban fill were in the soil samples, Detected mercury ranged 0.0217 ppm to 1.15 mg/kg and arsenic ranged from 1.26 to 53 mg/kg. No VOCs, no herbicides and no PCBs exceedances were detected in any supplemental soil samples. I contacted John Gavras of Langan. He stated that an Addendum containing Remedial Action Work Plan and recommendations will be submitted to DEC. AZ 5-28-2009 Spoke with John Gavras (212-479-5406). They removed all the drums related to the spill# 0813813 (DEC PM Raphael Ketani) in March 2009. There is no ongoing remediation activities at the site. The site is currently vacant. There is no bus depot at the site. Atlantic Express/Amboy Bus company left the site around summer 2008. Remedial Action Work Plan for the existing contamination will be submitted within next month. I have discussed the site with Vadim Brevdo. AZ 7-14-09 An e-mail was sent to John Gavras/cc John Urda: I have previously requested that you submit an electronic copy of the report dated Nov. 5, 2008. This copy has not been received by DEC. Electronic copies on a cd should accompany all Langan's Reports. Also, a map showing location of the Bus Depot tanks, direction of the groundwater flow, free phase plume boundaries and adjacent properties including Bayside Oil should be submitted to DEC prior to the meeting with Bayside Fuel. AZ 7-21-2009 A meeting was held at DEC. Participants: A. Zhitomirsky, Leszik Zielinski, J. Urda Sergio Allegreti (Bayside Fuel), Bartolo Allegreti (Bayside Fuel 718-372-9800), Vincent Allegreti(Bayside Fuel), Michael Bogin (Steve, Paget 212-421-2150), John Gavras (Langan Engineering 212-479-5406). Free phase product plume presumably originated at Bayside Fuel property and extended into 1752 Shore Parkway property. J. Gavras stated that free phase product is present in monitoring wells MW-11 and MW-12 which are located along the southern boundary of 1752 Shore Parkway abutting the Bayside facility. He also stated that Langan drilled more than 40 soil borings and installed 8 wells and that no free phase product was detected at any other location other then MW-11 and MW-12, immediately adjacent to Bayside Fuel, where Bayside Fuel is conducting active remediation of free phase product. Bayside is performing vacuum truck recovery of the free product at their property. There are no wells with free phase product between USTs at Langan property and wells MW-11 and MW-12. It was decided that Bayside Fuel will perform a study and submit to DEC their work plan for free product removal at their property and 1752 Shore Parkway. Two remedial options will be considered. 1st option: excavation around MW-11 and MW-12 and excavation of the free phase source area. 2nd option: installation of the groundwater extraction remedial system. CAP will be forwarded to Bayside Fuel by L. Zielinski. Bayside Fuel will compile a map of the area showing wells and tanks made to scale. 1752 Shore Parkway property will correct violations related to USTs at their property. USTs will be registered and properly closed. Guidelines regarding necessity of the remediation of the metals present in soil in the eastern part of 1752 Shore Parkway will be obtained from Ken Brezner. AZ 10-6-09 An e-mail was sent to John Gavras, John Urda, Vadim Brevdo: I have reviewed Remedial Action Work Plan for the above property submitted in July 2009. Langan Engineering proposed removal of known and suspected petroleum USTs (according to the report, the site contains eight known and eleven suspected USTs and three areas of surface petroleum staining). Also, Langan proposed removal of petroleum contaminated soil to the



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practical extend. Removal of the USTs and contaminated soil is approved. Post excavation samples should be taken. 1752 Shore Parkway property should correct violations related to USTs at their property. USTs should be registered and properly closed. As per conclusions of the meeting with DEC on July 21, 2009, guidelines regarding necessity of the remediation of the metals present in soil in the eastern part of 1752 Shore Parkway should be obtained from Ken Brezner (DEC). AZ 4-6-2010 Reviewed monitoring reports dated September 25, 2009. On 7/1/09 Langan monitored and documented extraction activities by Bayside Oil. MW-12 had 1.84' of LNAPL before extraction, MW-11 had 1.13'. Approximately 43 gallons of an LNAPL/groundwater mixture were extracted from wells MW-11 and MW-12. On 8/21/09 Langan monitored and documented extraction activities by Bayside Oil. MW-12 had 0.04' of LNAPL before extraction, MW-11 had 0'. Approximately 5 gallons of an LNAPL/groundwater mixture were extracted from wells MW-11 and MW-12. AZ 4-15-2010 Contacted John Gavras. Monitoring reports for bail outs will be quarterly. The reports will summarize free product range and quantity of removed product. The development of the site has been postponed. They will re-design the building. They site is not empty. The owner leased the property to the bus company for one year. I requested about the status of Thor property remediation. The remediation has been postponed. I have requested that the remediation should start ASAP. AZ 7-1-2010 Reviewed Site Inspection Reports from 12/02/2009 to 03/01/10. Product fluctuated in MW-11 from 0.91' to 0.05'. In MW-12 product disappeared and then reappeared in March 2010 and fluctuated between 0.25' and 0.9'. AZ 8-11-2010 A meeting w/Thor Equities was called by John Urda at Thor's request. Present John Gavras (Langan), Michael Bogin (Thor's attorney), Jeffrey Yachmetz, Robert Spaulding, Kurt Reich - all Thor Equities. Status of this spill and off-site contamination by Bayside fuel into 1752 Shore Pkwy was discussed at the meeting. DEC stated that RIWP approved by DEC in October 2009 was not implemented. Thor stated that the delay was caused by the presence of the current tenant, the need to demolish the building and Thor's intention to remediate their spill and address the off-site contamination by Bayside Fuel. Thor will propose a cut-off wall (interlocked and waterproof barrier approximately 20' of total depth, dtw -5'-7') to prevent free phase contamination caused by Bayside Fuel from spreading into their property. Contaminated soil will be excavated. Thor tentatively suggested that RIWP approved by DEC will implemented in Spring of 2011. There are 19 possible USTs at the site and 8 known USTs. Of these 8 known USTs -2 USTs are active in the open area and 6 USTs are adjacent to the existing building. DEC inquired if all USTs are in compliance with the PBS Regulations. Compliance will be confirmed. AZ 8-30-2010 After consultation with John Urda, an e-mail was sent to Thomas Stasny (Assistant Project Manager): Dear Tom, As discussed at our August 11, 2010 meeting, Thor Equities must implement the approved work plan for NYSDEC spill 0510989 immediately. Failure to do so will subject Thor Equities to legal enforcement. The Department reserves comment on any third-party work proposals relating to spill 0330055, which is the primary responsibility of the owner of 1776 Shore Parkway. AZ 3-2-2011 Reviewed Free phase thickness summary for October-December 2010. LNAPL was not detected at MW-11. The LNAPL thickness at MW-12 ranged from 0.02 ft to non detected. Consultant attributed the decreased LNAPL to relatively higher water table elevations during this period. The following e-mail was sent to J. Gavras: Dear John, I have received the site reports for the period of October through December 2010. Could you combine all electronic files in a single PDF report covering the above period and send it to me? AZ 3-10-2011 PDF

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file was received and filed in e-docs. AZ 10-19-2011 Reviewed Free phase thickness summary for July - September 2010. LNAPL was not detected at MW-11. The LNAPL thickness at MW-12 ranged from 0.04 ft to non detected. AZ 1-25-2012 Received Free phase thickness trend Memo for August to December 2011. During this period, LNAPL was not detected (ND) at MW=11. The LNAPL thickness at MW=12 during this period ranged from ND to 1.09 feet. LNAPL was last detected at MW=12 on 11/18/11 (0.04 ft). AZ 7-5-2012 John Gavras (GZA) tel. 212-594-8140 left a message that they will be excavating tanks soon. I called him and left a message stating that they need to notify the PBS section of the planned work and also take end-point samples. AZ 8-15-2012 An e-mail from J. Gavras: Good morning, gentlemen. While conducting tank removals near the two former 4,000-gallon diesel tanks in the eastern portion of the 1752 Shore Parkway Site in Brooklyn, NY, the Contractor encountered a cache of 35-gallon steel drums filled with pea gravel along the eastern and northeastern sidewalls of the tank excavation. The pea-gravel drums are deteriorated and are in very poor condition. The pea-gravel drums appear to have been put in place for shoreline stabilization during historical filling in of the southern half of the Site because of their stacked orientation in the subsurface. The pea gravel closest to the former 4,000-gallon diesel tanks is impacted with petroleum, but there are no petroleum impacts as we excavate further to the east and northeast within the tank excavation. We are in the process of removing the impacted pea-gravel, and we are stockpiling the impacted pea gravel separately for discrete waste characterization analyses. We plan to stop excavation when we are out of the petroleum impacted pea gravel, and plan to sample the remaining pea gravel for post-excavation analyses. As indicated above, we believe that the remaining pea-gravel drums extend beyond the tank excavation, and we believe that the pea-gravel drums were stacked in place during either shoreline stabilization and/or historical filling activities in the southern half of the Site. Should you have any questions, please do not hesitate to contact me. Regards, John John M. Gavras, P.G., CPG Associate Principal GZA GeoEnvironmental of New York 104 West 29th Street, 10th Floor New York, NY 10001 212-594-8140 x8913 (office) 917-968-6779 (cell) 212-279-8180 (fax) Email: John.Gavras@GZA.com 9-10-2012 Received a free-phase thickness trend summary report by Langan. Contacted Thomas Stasny and asked for one PDF file. No measurable free product was detected. Oil sheen was observed. The wells were destroyed during the remedial work. AZ 2-15-2013 Contacted John Gavras and discussed the site. 19 USTs were excavated and end point samples taken. A tank closure report (a hard copy and e-copy will be forthcoming). Monitoring wells will be installed in 18 months due to the pending construction. AZ 4-5-2013 Discussed the site with John Gavras. A closure report was received on March 4, 2013. Wells will be installed at the site. AZ 05/30/2014 - V. Brevdo Received Interim Remedial Closure Report dated May 2014. May 29, 2014 e-mail from consultant GZA addressed to V. Brevdo, A. Zhitomirsky copied: Good afternoon, We will be providing to you tomorrow, an electronic submission of our Interim Remedial Closure Report (IRCR) for the above referenced project location and related case numbers. Our colleague, Rahul Bhatia, will send you the file through our large file transfer program LeapFile. You will receive an e-mail containing log-in and down loading instructions; please follow the instructions and should you have a problem contact Rahul (212-594-8140) or me (973-774-3300) directly for assistance. Please note that this IRCR is being submitted to document the remedial actions conducted at the Site necessary for redevelopment. As such, our client is requesting

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a timely review so that a Notice of No Objection could be issued to the New York City Department of Buildings, and they in-turn issue a Temporary Certificate of Occupancy. Our Client would like to start merchandising the store as soon as possible, to to prepare for a soft opening date to the public on June 12, 2014. We appreciate your attention. Regards, Brett Engard, P.G. Project Manager GZA GeoEnvironmental, Inc. 55 Lane Road, Suite 407 - Fairfield, NJ 07004 o: 973.774.3300 - c: 347.640.2760 brett.engard@gza.com 05/29/2014 and 5/30/2014 V. Brevdo Since V. Brevdo is a project manager for the Bayside Fuel Depot site located at 1776 Shore Parkway (Spill Case No. 0330055) and Alex Zhitomirsky is a project manager for this spill case No. 0510989 at 1752 Shore Parkway, I inquired Alex on May 29, 2014 via e-mail whether Alex Z. or Vadim B. should be reviewing Interim Remedial Closure Report for this site. Alex Zhitomirsky replied that as e-mail requesting NYSDEC and NYCOER's review was addressed to me (V. Brevdo), it is my (V.B.) site. I (V. Brevdo) replied to Alex Zhitomirsky that I do not mind reviewing submission but it was essential for me to know that Alex Zhitomirsky concurs that I will review submission - IRCR - Interim Remedial Closure Report. V.B. 05/30/2014 - V. Brevdo Upon further consideration of this spill case, I decided that review and concurrence with the major remedial document such as Interim Remedial Closure Report implies further project manager's responsibility for reviewing and agreeing to the interim remediation completed and described in the IRCR, and as Alex Zhitomirsky agreed that I should be reviewing IRCR, I decided that it is appropriate to re-assign this spill case to me. This re-assignment will also provide consistency in terms of the same

project manager reviewing current and future submissions pertinent to the project and will eliminate the possibility of two Department s staff reviewing different documents and making decisions for the same one project/spill case. Bottom line one Project Manager shall manage project, not two project managers. This was already brought to my attention by Bureau Chief in Albany on the other project. Case is re-assigned to V. Brevdo effective May 30, 2014. (V. Brevdo). 05/30/2014 - V. Brevdo Spill Case No. 0510989 is reassigned from Alex Zhitomirsky to Vadim Brevdo effective today, 5/30/2014. See Rationale for re-assignment and decision above. VB. 03-25-2015 - V. Brevdo GZA submitted Quarterly Groundwater Monitoring Report No. 2 for 1752 Shore Parkway property, Brooklyn Spill Case 05-10989. Report is dated March 25, 2015. VB 04-09-2015 - V. Brevdo Project Status Summary Update: Brooklyn Bay Center, 1752 and 1776 Shore Parkway, Brooklyn (Spills Nos. 0510989 and 0330055) NYCOER is a lead agency on this re-development project, which entails retail center with a parking garage, and public esplanade. The redevelopment site is located next door to Caesar s Bay Shopping Center. On May 30, 2014 Thor Shore Parkway Developers, LLC and GZA Geo Environmental (environmental engineering consultant for Thor Shore Parkway Developers, LLC) submitted an Interim Remedial Closure Report (IRCR) which documents the remediation activities conducted at the Brooklyn Bay Center site located at 1752 Shore Parkway in Brooklyn. The IRCR describes the remedial activities developed and implemented at the Site in coordination with the NYCOER and NYSDEC. The remedial activities were developed and implemented for the purposes of compliance with applicable environmental standards, criteria and guidance; satisfying the requirements of the Hazardous Materials Restrictive Declaration (RD); and obtaining a Notice of No Objection (from NYCOER to NYCDOB) for Temporary Certificates of Occupancy (by NYCDOB), and Notice to Proceed for Site redevelopment. An RD City Registration Number (CRFN) was recorded for the Site in response to the NYC Department of City

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Planning CEQR as part of Brooklyn Bay Center rezoning action. The remedial activities completed per December 2011 RAWP include installation of the sub-slab components of Sub-Slab Depressurization System (SSDS), vapor barrier, and floor slab for the retail store. In addition, open space areas not covered with clean fill capping are fenced off such that they will not be accessible to public. Remediation of the site also included excavation of 8,184 tons of contaminated soil and fill (2,041 tons of petroleum impacted soil, 528 tons of petroleum impacted concrete, 23 tons of arsenic contaminated soil); removal of 19 USTs; off-site disposal; placing imported clean fill; installation of SSDS, vapor barrier, and concrete floor slab. In May-June 2014, the NYSDEC and NYCOER communicated and coordinated review of the Interim Remedial Closure Report/Final Engineering Report for consistency purposes between two agencies. On April 9, 2015, NYCOER issued a Notice of Satisfaction from NYCOER to NYCDOB, Brooklyn Borough Commissioner. Notice of Satisfaction stated that NYCOER has reviewed the December 2014 PE-certified Remedial Closure Report / Final Engineering Report (FER) and March 2015 Site Management Plan (SMP). The reports concluded that the Hazardous Materials Restrictive Declaration requirements have been satisfied for the newly constructed retail building, the three-level open air garage, the paved areas of the site that will serve the retail use, and the landscaped public esplanade. Based upon review of the submitted documentation certifying that all remedial actions for hazardous materials have been implemented, NYCOER has determined that no potential environmental impacts would affect the existing structure and/or future occupants of the site as long as the engineering controls implemented at the site remain intact. Therefore, NYCOER has no objection for the applicant to apply for a Certificate of Occupancy for the site. With regard to impending closure of an open Spill Case No. 0510989, GZA Geo Environmental has been implementing post-remedial groundwater monitoring program since the completion of the Site Development which was in the fall 2014. GZA Environmental submitted two (2) out of four (4) required groundwater monitoring reports on March 16 and March 25, 2015, respectively. The fourth (4th) - and last - round of groundwater monitoring is scheduled for implementation in July 2015. Based on review of the groundwater monitoring data submitted to date, the Department expects to close Spill Case No. 0510989 in late summer or early fall of 2015. Background: The site is approximately 452,000 square feet manmade peninsula bounded by 24th Avenue to the northwest, 37th Street to the southeast, Shore Parkway to the east, and Gravesand Bay to the west. Over the years, site operations included the use and storage of petroleum products in USTs. The eastern part of the site was most recently utilized by the Amboy Bus Company (Amboy). Numerous historic petroleum USTs were located in the eastern part of the site and were identified as areas of concern (AOCs). Due to historic operations AOCs included contamination with petroleum products and metals. In addition, historic operations at the adjacent MOSF facility have impacted soil and groundwater at the site. Site investigation included 41 soil borings, 20 test pit excavations, installation of 13 groundwater monitoring wells, and numerous soil and groundwater samples and analysis. Part of contamination (SVOCs and Metals) was attributed to historic fill throughout the site. Petroleum related contamination (VOCs) identified in the eastern portion of the site was related to active and inactive USTs surrounding the former bus-maintenance garage area. In addition to the remediation implemented under the December 2011 RAWP, several other remedial actions have been implemented at the

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site and included USTs removal, impacted soil removal, and post excavation verification sampling. One area of the site underwent additional excavation due to elevated levels of arsenic. Soil from the western part of the site was beneficially reused in the eastern portion in accordance with the Department-approved BUD and Soils and Materials Management Plan (SMMP). Off-site impacts along the southern site boundary pertaining to the separate Spill Case No. 0330055 were addressed in accordance with the Department-approved Interim Remedial Measure (IRM) Work Plan. These IRM activities have been described in the Spill Closure Report submitted by GZA to the Department on October 23, 2012 and approved on November 21, 2012. Remedial activities for off-site area included impacted soil removal and post excavation verification soil sampling. VB 06-26-2015 V. Brevdo GZA submitted Third Quarterly Groundwater Monitoring Report dated June 25, 2015. VB 06-29-2015 - V. Brevdo GZA Environmental submitted three (3) out of four (4) required groundwater monitoring reports on March 16, March 25, and June 26, 2015, respectively. The fourth (4th) - and last - round of groundwater monitoring is scheduled for implementation in July 2015. Based on review of the groundwater monitoring data submitted to date, the Department expects to close Spill Case No. 0510989 in late summer or early fall of 2015. 08-11-2015 - V. Brevdo GZA Environmental submitted four (4) out of four (4) required groundwater monitoring reports on March 16, March 25, June 26 and August 11, 2015, respectively. Based on review of the groundwater monitoring data submitted to date, the Department concurred with GZA petition to close this spill case. Project Summary and Spill Case Closure Decision: Brooklyn Bay Center, 1752 and 1776 Shore Parkway, Brooklyn (Spills Nos. 0510989 and 0330055) NYCOER is a lead agency on this re-development project, which entails retail center with a parking garage, and public esplanade. The redevelopment site is located next door to Caesar s Bay Shopping Center. On May 30, 2014 Thor Shore Parkway Developers, LLC and GZA Geo Environmental (environmental engineering consultant for Thor Shore Parkway Developers, LLC) submitted an Interim Remedial Closure Report (IRCR) which documented the remediation activities conducted at the Brooklyn Bay Center site located at 1752 Shore Parkway in Brooklyn. The IRCR described the remedial activities developed and implemented at the Site in coordination with the NYCOER and NYSDEC. The remedial activities completed per December 2011 RAWP include installation of the sub-slab components of Sub-Slab Depressurization System (SSDS), vapor barrier, and floor slab for the retail store. In addition, open space areas not covered with clean fill capping are fenced off such that they will not be accessible to public. Remediation of the site also included excavation of 8,184 tons of contaminated soil and fill (2,041 tons of petroleum impacted soil, 528 tons of petroleum impacted concrete, 23 tons of arsenic contaminated soil); removal of 19 USTs; off-site disposal; placing imported clean fill; installation of SSDS, vapor barrier, and concrete floor slab. In May-June 2014, the NYSDEC and NYCOER communicated and coordinated review of the Interim Remedial Closure Report/Final Engineering Report for consistency purposes between two agencies. On April 9, 2015, NYCOER issued a Notice of Satisfaction from NYCOER to NYCDOB, Brooklyn Borough Commissioner. Notice of Satisfaction stated that NYCOER has reviewed the December 2014 PE-certified Remedial Closure Report / Final Engineering Report (FER) and March 2015 Site Management Plan (SMP). The reports concluded that the Hazardous Materials Restrictive Declaration requirements have been satisfied for the newly constructed retail building, the three-level open air garage, the paved areas of the site that will serve the retail use, and the

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landscaped public esplanade. Based upon review of the submitted documentation certifying that all remedial actions for hazardous materials have been implemented, NYCOER has determined that no potential environmental impacts would affect the existing structure and/or future occupants of the site as long as the engineering controls implemented at the site remain intact. Therefore, NYCOER had no objection for the applicant to apply for a Certificate of Occupancy for the site. With regard to impending closure of an open Spill Case No. 0510989, GZA Geo Environmental has completed implementation of post-remedial groundwater monitoring program since the completion of the Site Development which was in the fall 2014. GZA Environmental submitted four (4) out of four (4) required groundwater monitoring reports on March 16, March 25, June 26, 2015, and August 11, 2015, respectively. The fourth (4th) - and last - round of groundwater monitoring report dated August 11, 2015 contained petition to close this spill case. Based on review of the groundwater monitoring data submitted to date and scope of remediation implemented at the site, the Department concurred with the petition to close spill case. Spill Case is closed effective August 11, 2015. VB"

Remarks:

"THE WHOLE AREA IS A FILL AREA AND THEY WERE CHECKING THE CONTENTS OF THE SOIL: NEW OWNERSHIP OF PROPERTY AND THE CALLER WANTS TO GET IT ALL CLEANED UP: OWNER IS THOR EQUITIES- 139 5TH AVE NY NY 10110"

All Materials:

Site ID: 357049  
Operable Unit ID: 1114338  
Operable Unit: 01  
Material ID: 2104415  
Material Code: 0066A  
Material Name: unknown petroleum  
Case No.: Not reported  
Material FA: Petroleum  
Quantity: .00  
Units: G  
Recovered: .00  
Oxygenate: Not reported